
IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of: Brosnan et al.

Attorney Docket No.:

IGT1P077D1/P-299 CIP DIV

Application No.: 10/716,319

Examiner: Pandya, Sunit

Filed: November 17, 2003

Art Unit: 3714

Title: OPEN ARCHITECTURE

COMMUNICATIONS IN A GAMING NETWORK Confirmation No.: 5253

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Signed: /Lora Choi Abanador/
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PRE-APPEAL BRIEF REQUEST FOR REVIEW

Mail Stop AF
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Dear Sir:

Applicant requests review of the final rejection in the above-identified application. No amendments are being filed with this request. This request is being filed with a Notice of Appeal. The review is requested for the reasons stated below.

The Examiner rejected claims 15-22 under 35 U.S.C. § 103(a) as being allegedly unpatentable over a single reference Acres (US Patent 6,565,434). Applicant respectfully disagrees and submits that the PTO improperly equates the machine communication interface (MCI) of Acres to the master gaming controller of the claimed invention. In the case of a gaming machine that generates a game of chance, the MCI communicates with a master gaming controller on the gaming machine and does not generate the game of chance.

The Final Office Action states:

Acres discloses not just a game of chance with master gaming control, column 12 lines 3-14 and figure 4 wherein Acres discloses a flow chart that inherently teaches of a controller controlling the game be[ing] played on the gaming machine. ... Additionally, column 24 lines 8-25 discloses that each machine communication interface (MCI) further includes a replication port 78, which emulates the communication port on the gaming device, Acres discloses communications ports which are adopted for communication between the MCI and plurality of remote servers in a gaming machine network (wherein the server could be multiple gaming machines, or bonus aspect of the gaming machine). ...

The applicant argues that reference does not teach of a gaming controller controlling a game of chance played on the machine.”

As stated in previous Responses, Applicant is not alleging whether Acres teaches a gaming controller or not, but rather that the rejection improperly equates the MCI of Acres to the gaming controller of the claimed invention. This is evident from in the Final Office Action which specifically states that the communication ports are adopted for communication between the MCI and the plurality of remote servers.

In contrast, Claim 15 provides for “configuring a first communication port included in a communication interface to communicate data according to a first communication protocol used by a first gaming machine function on the gaming machine wherein the master gaming controller on the gaming machine is adapted for communicating using the first communication protocol via the first communication port; configuring a second communication port included in the communication interface to communicate data according to a second communication protocol used by a second gaming machine function on the gaming machine wherein the master gaming controller on the gaming machine is adapted for communicating using the second communication protocol via the second communication port”. Thus, the master gaming controller, and not an MCI, is adopted for communicating via the first and second communication ports.

The Final Office Action further argues that “Acres substantially teaches the claimed invention except for the master gaming controller having multiple communication ports.” Blad (USP 2001/0048374) and Walker (USP 6,331,144) were cited in support of the claimed feature in an Advisory Action. Applicant respectfully disagrees. Neither Blad nor Walker teach the master gaming controller having multiple communication ports,

Blad relates to a system for remotely monitoring coin-operated machines, typically vending machines. Blad teaches a data collection unit having multiple input ports, either analog or digital ports, connected to devices within the machine such as switches on the coin drop or bill validator doors, environmental sensors, door open, and the like. ([0040]). Thus, a closer reading of Blad indicates that the input ports are not, in fact, multiple communication ports to the gaming machine. Rather, the input ports from the data collection unit merely communicate with peripheral devices and not with a gaming device communication port as claimed in Claim 15.

Furthermore, Walker does not appear to teach the master gaming controller having multiple communication ports. The Advisory Action cited figure 2 of Walker, which illustrates a

single communication port 250 coupled to the CPU 205 and not multiple communication ports as claimed in Claim 15.

Applicant also notes that Claims 16-22 are dependent on Claim 15 and are thus allowable for at least the same reasons as discussed above with respect to Claim 15.

As such, Applicant respectfully submits that the claims are in condition for allowance. I am the attorney or agent acting under 37 CFR 1.34.

Respectfully submitted,
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